

CHARGE: 402(a)(2)(C)—when shipped and while held for sale, the articles contained folic acid and intrinsic factor, food additives, which were unsafe within the meaning of 409, since they and their use or intended use were not in conformity with a regulation or exemption; and 403(a)—while held for sale, the label statements "Each Tablet Contains * * * Iron (Ferrous Fumarate) 110 mg. [MDR] 200% * * * Vitamin B₂ 7.5 mg. [MDR] 375%" were false and misleading, since the label statement that each tablet contained 110 mg. of Iron (Ferrous Fumarate) was inconsistent with the label statement that each tablet contained 200% of the minimum daily requirement for Iron (Ferrous Fumarate), and since the label statement that each tablet contained 7.5 mg. of Vitamin B₂ was inconsistent with the label statement that each tablet contained 375% of the minimum daily requirement for Vitamin B₂.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 8187.

DISPOSITION: 5-14-64. Default—destruction.

30395. Vita Zest medicated premix. (F.D.C. No. 50105. S. Nos. 71-477 A, 71-480 A.)

QUANTITY: 10 5-lb. cans and 27 2½-lb. cans at Blooming Prairie, Minn.

SHIPPED: Between 1-30-64 and 3-16-64, from Wessington Springs, S. Dak., by Vita Zest Corp.

LABEL IN PART: (Can) "Vita Zest Oxytetracycline (Terramycin) 3.2 grams per pound * * * Manufactured by Vita Zest Corporation Wessington Springs South Dakota * * * Poultry Sick Chickens-Chronic respiratory disease (air sac), Blue comb (nonspecific enteritis), use 2 tablespoonsful to 1 gallon of drinking water for 4 days or mix 1 lb. of Vita Zest to 100 lbs. feed for 10 days * * * Swine For Bacterial enteritis (necro) (scours) use 2 tablespoonsful to 1 gallon of drinking water, slop or milk for 4 days, then 2 tablespoonsful to 8 gallons of water for 10 days. Use 1 lb. to 100 lbs. of feed for 10 days."

LIBELED: 5-5-64, Dist. Minn.; libel amended 6-30-64.

CHARGE: 402(a)(2)(C)—when shipped, the article contained a food additive, oxytetracycline, which was unsafe within the meaning of 409, since it and its use or intended use were not in conformity with a regulation or exemption in that it failed to comply with regulations since the directions for use did not provide sufficient oxytetracycline levels for the treatment of chronic respiratory disease and blue comb in sick chickens.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 8199.

DISPOSITION: 7-24-64. Default—destruction.

30396. Allocaps capsules. (F.D.C. No. 51419. S. No. 16-307 B.)

QUANTITY: 37 100-capsule btls., and 52 250-capsule btls., at Los Angeles, Calif., in possession of Vitamin Quota.

SHIPPED: 1-20-65, from New York, N.Y.

LABEL IN PART: (Btl.) "Allocaps Vitamins in each capsulet—Folic Acid 0.34 milligrams—average adult dose: One capsulet daily—Distributed by Vitamin Quota, New York-Los Angeles."

RESULTS OF INVESTIGATION: The dealer repacked the article into the bottles described above. Analysis showed the article contained less than 30 percent of the declared amount of folic acid.

LIBELED: 5-25-65, S. Dist. Calif.

CHARGE: 402(b)(1)—while held for sale, the valuable constituent, folic acid, had been in whole or in part omitted or abstracted from the article; and 403(a)—the label statement "Folic Acid 0.34 Milligrams" was false and misleading.

DISPOSITION: 6-29-65. Consent—claimed by Vitamin Quota, Los Angeles, Calif., repacked and relabeled.

30397. Vitamin drops. (F.D.C. No. 50156. S. No. 13-309 A.)

QUANTITY: 120 50-cc. btls. at Stamford, Conn.

SHIPPED: 9-23-63 and 10-4-63, from St. Louis, Mo.

RESULTS OF INVESTIGATION: Analysis showed that the article contained approximately 75 percent of the declared amount of vitamin B₁.

LIBELED: On or about 6-17-64, Dist. Conn.

CHARGE: 402(b)(1)—the valuable constituent, vitamin B₁, had been in part omitted or abstracted from the article; and 403(a)—the label statement "Each 0.6 cc. dose contains * * * Vitamin B₁ * * * 1 mg." was false and misleading.

DISPOSITION: 1-12-65. Default—destruction.

30398. Diet-All. (F.D.C. No. 51162. S. Nos. 34-776/79 B.)

QUANTITY: 8 25-lb. ctns., at Apple Creek, Ohio.

SHIPPED: 2-16-65, from Pompano Beach, Fla., by the Mainland Corp.

LABEL IN PART: (Ctn.) "Mainland Concentrated Food Formula Diet-All A Combination of highly nutritious ingredients * * * Flavor—The Mainland Corporation New York, New York—Pompano Beach, Florida."

LIBELED: 4-8-65, N. Dist. Ohio.

CHARGE: 402(a)(1)—when shipped, the article contained an added poisonous and deleterious substance, Salmonella micro-organisms, which may have rendered it injurious to health.

DISPOSITION: 5-4-65. Default—destruction.

30399. Diet-All. (F.D.C. No. 51143. S. No. 49-270 B.)

QUANTITY: 12 25-lb. boxes at Perrysburg, N.Y.

SHIPPED: 1-5-65, from Pompano Beach, Fla., by the Mainland Corp.

LABEL IN PART: (Box) "The New Improved Mainland Concentrated Food Formula Diet-All—Directions * * * The Mainland Corporation—Pompano Beach, Florida."

LIBELED: 3-10-65, W. Dist. N.Y.

CHARGE: 402(a)(1)—when shipped, the article contained an added poisonous and deleterious substance, Salmonella micro-organisms, which may have rendered it injurious to health.

DISPOSITION: 5-21-65. Default—destruction.

30400. F-M vitamin capsules. (F.D.C. No. 51126. S. No. 22-979 B.)

QUANTITY: 12 cases, each containing 12 100-capsule btls., at Houston, Tex.

SHIPPED: 11-17-64 and 1-19-65, from El Segundo, Calif., by Rabin-Winters Corp.